

HOUSE BILL 2618

By Lundberg

AN ACT to amend Tennessee Code Annotated, Title 55,
relative to using text messaging services while
operating a motor vehicle.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 55, Chapter 8, Part 1, is amended by
adding the following language as a new section:

Section 55-8-19_.

(a) For the purpose of this section, unless the context otherwise requires:

(1) "Mobile telephone" means a cellular, analog, wireless or digital
device that provides for voice communication and for data communication
other than by voice; and

(2) "Personal digital assistant" means a wireless electronic
communication device that provides for data communication other than by
voice.

(b) No driver shall operate a motor vehicle on any highway while using a
hand held mobile telephone or a hand held personal digital assistant to transmit
or read a written message while such vehicle is in motion; provided, that a driver
does not transmit or read a written message for the purpose of this subsection
(b) if such driver reads, selects or enters a telephone number or name in a hand
held mobile telephone or a personal digital assistant for the purpose of making or
receiving a telephone call.

(c) A violation of any provision of this section is a Class C misdemeanor,
subject only to imposition of a fine, not to exceed fifty dollars (\$50.00), and court
costs, not to exceed ten dollars (\$10.00), including, but not limited to, any

statutory fees of officers. No state or local litigation taxes shall be applicable to a case prosecuted under this section.

SECTION 2. This act shall take effect July 1, 2008, the public welfare requiring it.